

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL MANLEY,	§
	§ No. 519, 2003
Defendant Below,	§
Appellant,	§ Court Below – Superior Court
	§ of the State of Delaware,
v.	§ in and for New Castle County
	§ Cr.A. No. IN-95-11-1323 thru 1325
STATE OF DELAWARE,	§ and IN-95-12-0684 thru 0685
	§ ID No. 9511007022
Plaintiff Below,	§
Appellee.	§

Submitted: February 3, 2004  
Decided: April 7, 2004

Before **VEASEY**, Chief Justice, **HOLLAND**, **BERGER**, **STEELE** and **JACOBS**, Justices (constituting the Court *en Banc*).

**ORDER**

This 7th day of April, it appears to the Court that:

The defendant-appellant, Michael Manley, has filed an appeal from the Superior Court's judgment that denied his Motion for Post-Conviction Relief and Motion to Preclude a New Penalty Hearing. The Court has considered the written briefs and oral arguments of the parties. The Court has concluded that the judgment of the Superior Court should be affirmed on the basis of its well-reasoned Memorandum Opinion dated October 2, 2003.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court is Affirmed. IT IS FURTHER ORDERED that the

time within which a motion for reargument may be timely filed under Supreme Court Rule 18 is shortened to five days from the date of this Opinion. This Order is due to the impending change in the composition of the Supreme Court, arising out of the retirement of the Chief Justice in April 2004.

BY THE COURT:

/s/ Randy J. Holland  
Justice